IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

Bail Appl..No. 4572 of 2007()

CMP.5473/2007 of J.M.F.C.-II,KOTTARAKKARA
CRIME NO.58/07 OF KADAKKAL POLICE STATION

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PETITIONER : A3:

SHAIJU, S/O.MUHAMMEDALI, MOOLAYIL VEEDU, KONCHIRA DESOM, THEKKADA VILLAGE, NEDUMANGADU TALUK.

BY ADV. SRI.P.K.VARGHESE
SRI.HRITHWIK

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4572 of 2007

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Dated this the 31st day of July, 2007

O R D E R

Application for regular bail. The petitioner is the third accused. Altogether there are four accused persons. The crux of the allegations is that accused 1 to 3 committed theft of a Maruti Omni vehicle on 7.2.2007. The crime was registered. Accused 1 and 2 were arrested in another crime. In the course of their interrogation the complicity of the petitioner was allegedly revealed.

2. The petitioner was arrested in another similar crime by the Mangalapuram Police. He was remanded to custody in that case. The Investigator in this case filed an application and got the petitioner in his custody on 1.6.2007. He was subsequently remanded in this case also. The petitioner thus continues in custody from 1.6.07

3. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that appropriate and stringent conditions safeguards are provided and I am satisfied that the petitioner can be enlarged on bail subject to appropriate terms and conditions.

4. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 1p.m. on all Mondays, Wednesdays and Fridays until further orders or until the final report is filed, whichever is earlier.

© Until such time the petitioner shall not leave the jurisdiction of Kadakkal police station without the prior permission of the learned Magistrate.

(R. BASANT)
Judge

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